

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : To Be Assigned Confirmation No. : TBA
First Named Inventor : Steffen HENZLER
Filed : May 4, 2006
TC/A.U. : To Be Assigned
Examiner : To Be Assigned
Docket No. : 095309.57677US
Customer No. : 23911
Title : Toroidal Gearbox with a Hydraulic Pressure Device

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97 AND 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of document(s) AI to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report(s) citing document(s) AI, AL and AM, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☐ English language family member publication(s) of document(s) _____ is/are noted on Form PTO-1449.

☒ English language abstract(s) is/are submitted for document(s) AH, AI and AO.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations:

V. Continuations/Divisionals


☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.57677US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

May 4, 2006



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet 1 of 2		Complete if Known	
		Application Number	To Be Assigned
		Filing Date	May 4, 2006
		First Named Inventor	Steffen HENZLER
		Art Unit	To Be Assigned
		Examiner Name	To Be Assigned
		Attorney Docket Number	095309.57677US

U.S. PATENT DOCUMENTS						
Examiner Initials'	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
	AA	US- 4,272,999		06/16/1981	Perry	
	AB	US- 6,740,001	B1	05/25/2004	Ishikawa et. al.	
	AC	US- 2003/0078133	A1	04/24/2003	Kobayashi et. al.	
	AD	US- 4,186,616		02/05/1980	Sharpe	
	AE	US- 4,252,033		02/24/1981	Triffitt	
	AF	US- 3,008,337		11/14/1961	Kraus	
	AG	US- 6,030,310	A	02/29/2000	Greenwood et. al.	
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ –Number ⁴ –Kind Code ⁵ (if known)				
	AH	JP 2002 357259 (A bstract only)	12/13/2002	Imanishi Takashi		ABS
	AI	WO 02/053945 A 1	07/11/2002	Toyota Jidosha Kabushiki Kaisha		ABS
	AJ	GB 1 146 322	03/26/1969	The English Electric Company Limited		
	AK	EP 1 148 270 A 1	10/24/2001	Torotrak (Development) Limited		
	AL	DE 102 06 204 A 1	08/28/2003	DaimlerChrysler AG		
	AM	DE 100 59 779 A 1	04/04/2002	Volkswagen AG		
	AN	EP 0 190 032 A 1	08/06/1986	National Research Development Corporation		
	AO	JP 2001 012573 A (Abstract only)	01/16/2001	NSK Ltd.		ABS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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10/578190

IAP12 Rec'd PCT/PTO 04 MAY 2006

PTO/SB/08b (08-03)

Approved for use through 06/30/2006. OMB 0651-0031

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known			
		Application Number	To Be Assigned		
		Filing Date	May 4, 2006		
		First Named Inventor	Steffen HENZLER		
		Art Unit	To Be Assigned		
		Examiner Name	To Be Assigned		
Sheet	2	of	2	Attorney Docket Number	095309.57677US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AP	International Search Report dated June 1, 2005 including English Translation of relevant portion and PCT/ISA/237 (Fourteen (14) pages)	
	AO	German Office Action dated December 15, 2004 including English Translation of relevant portion (Four (4) pages)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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